

## FACSIMILE TRANSMISSION SHEET

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TO: Ms. WallaceFAX NO: 1 (703) 746-6711 *(571) 273-9868*FROM: D. Peter Hochberg, Esq.DATE December 22, 2005NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 9

MESSAGE: Moormann et al U.S. Patent Appln. 10/544,265  
PROCESS FOR The PRODUCTION OF  
CHINAZOLINE ALKALOIDS  
Our Ref. RO4082US (#90568)

*no connect -  
refaxed 12/23/05  
refaxed 12/27/05*

Dear Ms. Wallace:

In accordance with our telephone conversation and your instructions to my secretary yesterday, we have prepared the following "Application Data Sheet" for this case.

We are also enclosing a copy of the "Combined Declaration and Power of Attorney" that has been executed by all of the inventors for this application. Being unaware that the USPTO had accepted the Declaration filed with the PCT case, we had been holding this paper in our file in anticipation of receiving a Notification of Missing Requirements. On previous occasions for other applications where the USPTO has accepted the Declaration filed with the PCT case, we had forwarded the executed Declaration and Power of Attorney under cover of a "Letter" for entry of the Power of Attorney portion of the document. We are not aware of any problem with having submitted the Combined Declaration and Power of Attorney for entry of just the Power of Attorney portion of it. Please contact us if you have any problem in this regard so that we may resubmit the Combined Declaration and Power for entry of the Power of Attorney portion as we had previously.

We greatly appreciate your assistance in preparing a proper official Filing Receipt for this case. Please let us know if you require anything further, and

*Merry Christmas and Best Wishes for the New Year!*

\*\*\*PRIVILEGED AND CONFIDENTIAL\*\*\*

This communication is intended only for the use of the named addressee(s) and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone (collect), and return the original message to us at the above address via the U.S. Postal Service. Thank you.

Attorney Docket No. R04082US (#90568)

**COMBINED DECLARATION AND POWER OF ATTORNEY**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,  
DIVISIONAL, CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type: (check one applicable item below)

- ☐ original  
☐ design

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check any of next two items and check appropriate one of last three items.

- ☒ national stage of PCT  
☐ supplemental

NOTE: If one of the following 3 items apply then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.

- ☐ divisional  
☐ continuation  
☐ continuation-in-part (CIP)

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION****Processes for the production of chinazoline alkaloids**

**SPECIFICATION IDENTIFICATION**

the specification of which: (complete (a), (b), or (c))

- (a) ☐ is attached hereto.  
(b) ☐ was filed on \_\_\_\_\_ as ☐ Serial No. \_\_\_\_\_ or  
☐ Express Mail No. \_\_\_\_\_, as Serial No. not yet known  
and was amended on \_\_\_\_\_ (if applicable).  
(c) ☒ was described and claimed in PCT International Application  
No. PCT/EP 2004/000485 filed on January 22<sup>nd</sup>, 2004  
and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations. Sec. 1.56(a).

- ☐ In compliance with this duty there is attached an information  
disclosure statement. 37 CFR 1.97.

**PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) ☐ no such applications have been filed.  
(e) ☒ such applications have been filed as follows

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

COUNTRY	APPLICATION NO.	DATE OF FILING (month, day, year)	PRIORITY CLAIMED UNDER 37 USC 119
			( ) YES NO ( )
			( ) YES NO ( )

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Germany	Application No. 103 04 141.9	filed February 3 <sup>rd</sup> , 2003
PCT	Application No. PCT/EP 2004/000485	filed January 22 <sup>nd</sup> , 2004

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint D. Peter Hochberg, Reg. No. 24,603, Sean Mellino, Reg. No. 48,817, Katherine R. Vieyra, Reg. No. 47,155, and James A. Rich, Reg. No. 25,519, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO:

D. Peter Hochberg Co., L.P.A.  
The Baker Building - 6<sup>TH</sup> Floor  
1940 East 6th Street  
Cleveland, Ohio 44114-2294

DIRECT TELEPHONE CALLS TO:  
(Name and telephone number)

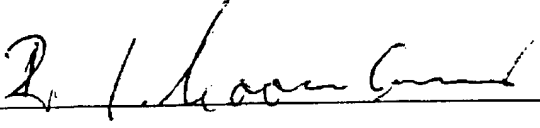
D. Peter Hochberg  
(216) 771-3800

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**BEST AVAILABLE COPY**


## SIGNATURE(S)

Full name of first inventor: **Dr. Joachim MOORMANN**Inventor's signature: Date: 06.07.2005

Country of Citizenship: German

Residence: Schulstrasse 5, 59368 Werne, Germany

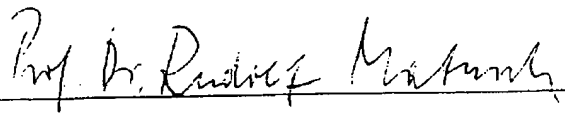
Post Office Address: Schulstrasse 5, 59368 Werne, Germany

Full name of second: **Dr. Hans-Rainer HOFFMANN**Inventor's signature: Date: 26.07.05

Country of Citizenship: German

Residence: Burghofstrasse 123, 56566 Neuwied, Germany

Post Office Address: Burghofstrasse 123, 56566 Neuwied, Germany

Full name of third inventor: **Prof. Dr. Rudolf MATUSCH**Inventor's signature: Date: 19. Juli 0535041 Marburg

Country of Citizenship: German

Residence: Am Hasenküppel 18 A, 35041 Marburg, Germany

Post Office Address: Am Hasenküppel 18 A, 35041 Marburg, Germany

CHECK PROPER BOX(ES) IF ANY OF THE FOLLOWING ADDED PAGE(S)  
FORM A PART OF THIS DECLARATION

- ☐ Signature for third and subsequent joint inventors. Number of pages added \_\_\_\_\_.
- ☐ Signature by administrator(trix), executor(trix) or legal representative of deceased or incapacitated inventor. Number of pages added \_\_\_\_\_.
- ☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_.

\*\*\*

- ☐ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.
- ☐ Number of pages added \_\_\_\_\_.

\*\*\*

If no further pages form a part of this Declaration then end this Declaration with this page and check the following item.

☒ This declaration ends with this page.

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